

[Dee Cook]

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FOLKLORE

William V. Ervin, P. W.

McLennan County, Texas

District No. 8. [?] [?] - Life H[story?]

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Interview with - [Dee?] Cook, 629 South Fifth Street, Waco, Texas. Deputy under Ex-Governor Sul Ross.

"I was born in May, 1848, near Boydsville, in Graves County, Kentucky, about five miles from the Tennessee line. Later my father had a place in the line. The house was in Tennessee and the barn in Kentucky. There were a number of places like that. One man built a house across the line, and had a store in one end while he lived in the other. When the Kentucky tax assessor would come around, the man would be in the Tennessee end of his house, and when the tax assessor for the Tennessee county, would come around, he would be in the Kentucky end. At last, the two tax assessors got together and arranged to go to the house at the same time, coming to it each from his county end, and that way they caught the fellow.

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"I served in the Confederate army. I came to Texas, the first time, in 1868, with my aunt. We started travelling by wagon, in October, and got to Texas in November. I went to Cook's Ferry on the Trinity River, near Palestine, Texas, but there was not much there in the way of a town, just a few log houses. A cousin of mine ran the ferry. At times, you could stop across the Trinity there, but my cousin told me he had seen a woman's hat knocked off by the limb of a tree as the ferry-boat went under it. The limb of the tree was forty or fifty feet from the round, and the river would rise that high. Once I saw it on a rise like that, while I was there, and I stood up in the boat and took hold of the limb. You wouldn't think to look at the river, when it was down that it would ever get that high.

"I got down with chills and fever, and told them I was not doing any good there, so I went back to Kentucky with my aunt. I came to Texas again in 1870. I had not got over the chills and fever, and I was in bed health. C12 - [2/11/41 - Texas?] 2 I came on the railroad to New Orleans, and from there went on a steamboat, called the Texas, up Red River to Shreveport. Then, I came from Shreveport over the Texas and Pacific railroad to Hallsville, which was as far as the railroad went at that time. I took the stage from there to Dallas, and intended to go to Hillsboro, but I got so sick the stage driver[md;]he was a clever fellow[md;]put me in a hotel at a little town about sixteen miles this side of Dallas. A cousin of mine was with me. I was nearly dead, it seemed to me. The man who ran the hotel, which was a big double log house with an open passage between the rooms, came to me and asked me if I hadn't been in New Orleans. I said, "yes". He said, "Now, young man, I want you to tell me the truth about yourself. My other place that I left when I came over here is a good house, and I can put you over there till you are able to go on. There is yellow fever at New Orleans. Do you think you've got it?" I says, "There was yellow fever there, but I didn't see any of it. All that's the matter with me is that I've got a chronic case of chills and fever." He took care of me five days, until I was able to leave, and didn't charge me a cent, and was as good to me as he could be. That's the kind of people there were in those days. They wouldn't [se?] anybody suffer or go hungry if they could help it. I went on to Hillsboro and then over here by stage.

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"I freighted to [Bremond?]. I had six yoke of oxen. There were two roads between here and [Bremond?], and as long as you were in the right road you were all right, but if you got in the wrong one and [met?] somebody you had to get out of the road and let him by. It was a pretty good job to get an Ox-wagon out of the road as the ruts were deep. One trip, coming back from [Bremond?], I met a fellow with a mule-team and wagon. We stopped right up against each other. He told me to get out of the road, but I was in the right track. I told him, no, I wouldn't get out, that he was in the wrong 3 track and he was the man to get out. He said, "No, I won't get out. I'll stay here till you do." I told him, "All right. I can stay here as long as you can. I can unhook my oxen and turn them out to graze. It'll probably cost you more to keep your mules here than it will me for my oxen." We were both good-natured about it. He was trying to bluff me, as he knew I was right. We stayed there for a while, and then he pulled out of the way and let me by.

"A man by the name of Garrison wanted me, and the man who was freighting with me, to freight to Fort Griffin, which was then in Indian country. Garrison was hauling Government supplies out there. It was about two hundred miles out there. The Indians didn't bother us, and we didn't see any, but we got a scare once. We thought we heard them in some post-oaks, and Garrison, who was ahead of us came back and said, "Boys, it's Indians. We'd better stop and get ready to fight them off." But it wasn't Indians. It was some hog-hunters.

"I was working for a man named Love, when an old negro who had about two thousand acres near Love's place and was well-to-do, had three oxen stolen from him. He told me that if I would follow the thieves and try to get the cattle back he would pay me two dollars a day and all my expenses and furnish me a horse. Well, I was a young fellow working by the day, and his offer appealed to me, so I took it. I got track of the thieves and followed them to [Bolton?], where I overtook them. They had three oxen of their own, and had one of the negroes oxen yoked with each of theirs. One of them was a fellow named [Kli?] McGuire and the other three were named [Patterson?]. I told the sheriff about them. They had stopped there at [Bolton?], and McGuire was on his horse talking to his mother. The

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sheriff didn't have his gun on, and he asked me to let him have mine. I let him have it, and we went over where McGuire was. The Sheriff said, "You're 4 under arrest for stealing cattle." McGuire asked, "Who do you mean?" The sheriff replied, "You". The fellow whirled his horse and went out of town as fast as he could. The sheriff said to me, "You take this gun and go get him." I said, "I'll be damned if I will. You are the sheriff of this county, and it's your place to go after him." Later the sheriff asked the district judge what he should have done when McGuire ran away from him. The judge said, "I'm not saying what you ought to have done, but if it had been me I'd have shot him."

"I started as deputy sheriff under Sul Ross in 1874, and served ten years straight under four sheriffs, the three others were Pete Ross, Bill Harris and Dan Ford. I served four years as constable, and was on the [Waco?] Police force sixteen years, altogether, about thirty years. But it was not thirty years straight, because I went to farming a couple of times.

"Sul and Pete Ross were brothers, but they were entirely different. Sul was impetuous and wanted [a?] thing done right now. If he wanted a man brought in, he would say to get him dead or alive. Pete Ross was the other way. He had to be sure of what he was doing before he would go ahead, and when he sent a deputy out to get a man he would say not to shoot unless it was necessary. Sul and Pete Ross were both fine men. Sul helped write the state constitution. He was a smart man, and was always the same whenever you saw him. He never put on airs. He knew everybody, and after he was governor, when he was in Waco, if he saw some farmer, he knew, driving up the street, he would holler, "Hello, John," and go out to the farmer's wagon and ask him all about how him and his family were getting along. Sul Ross liked to smoke cornshuck cigarettes, and if the farmer had a load of corn, Sul would be opening the ear up, while he talked to the farmer, to get the kind of shucks he wanted to use in smoking.

"There was lots of cattle and horses stealing going on in those times 5 It was hard to convict the thieves after they were caught, [as?] they had a good many friends and kinfolks

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who would get on the jury. Before I got to be a deputy sheriff there was a bunch of thieves caught, who were in with some big cattlemen across the river. The cattlemen sent word to the district attorney, who was named Perrea, that if he prosecuted those men they would kill him. When court started there were three hundred armed men, and I was one of them, there to protect the district attorney and see that court went on. Perrea prosecuted the thieves, and their bunch didn't do anything to stop him. He sent them to the pen.

"The horse and cattle thieves had their hang [outs?] on [Tehussana?] and Trading House creeks. They were not bad about shooting. They had rather get away when we got after them. They were hard to catch in the breaks and woods. Sometimes we would lead a [posse?] after them and shoot at them some.

"When Dan Ford and I were deputies together, we discovered a horse-stealing gang that had headquarters on Trading House Creek, and hideouts at different places away out into West Texas. Out there, they had three pastures, a large one that covered a good deal of country and, inside that one, a smaller-pasture and inside that one, a third one, the smallest one, in which they would put the stolen horses. They had the three fences to fool anybody looking for stock, because when [he?] [came?] to the second pasture, and didn't find any horses, he would give up the chase and turn back. We caught some of the gang when they stole some horses from a young man and young woman who were attending a [Bohemian?] dance at [Bremond?]. The young wo woman was a relative of a man named Davis, who was a member of the state legislature. We found the horses at one of their hideouts up north of Waco. We caught a man named Renno, and a young fellow by the [name?] of Henry Vaughn. Ford and I worked on Henry to get him to tell all he knew about the gang. Ford would be hard on Henry and abuse him; didn't hit, 6 him, but would talk to him and I would sympathise with him. We had him about to the piont to turn State's evidence and tell all he knew, when the district attorney heard of it, and he went over to the jail and told Henry he had heard he was going to turn State's evidence. He said, no, he wasn't going to do anything of the kind, and so the district attorney spoiled all the work Ford and I had done. The district attorney said that Renno had promised to tell all he knew

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on the witness stand, but when he got on the stand he told mostly a lot of lies, and could have been convicted for perjury. He had told Ford and I about the three pastures and the hideouts over the country. He said Joe Thomas was at the head of it, Joe had his place on [Tehuacana?] Creek.

“Pete Ross told me he would have to send me to Joe Thomas' place to get Thomas' mother-in-law, and take her to Marlin as a witness, and I thought I was in for it, for she was a hell-cat. I got a buggy, and went out to get her. The house was way out in the woods and it was a lonesome looking place. The old woman flatly refused to come with me. I didn't want to use force with a woman to bring her along, so I sent in and did about the best piece of talking I ever did in my life, and got her to agree to go. She said, “If I go with you to Marlin, will you stay with me while I'm over there and bring me back?” I said, “Yes, I will be right with you all the time you are gone and bring you back here.” She said, “All right, I'll go with you.” She said for me to wait, she wanted to change her dress. While she was doing that Joe Thomas and two of the toughest-looking characters [?] I ever saw came up, heavily armed, Thomas was not armed. I thought, “Now I'll have to fight these fellows. Well, I'll do the best I can. I can get some of them before they get me.” I didn't know who the strangers were, but they didn't have a word to say. Thomas put in to get the old woman not to go with me as he was afraid of what she might tell in court about him and his gang. She told him she was going as she had told me she would, and 7 he wanted to know how she would get back. She told him I had promised to bring her back. He kept trying to get her not to go, but she got ready and we started. As we drove off, with my back to that bunch, I felt my hair stand up and cold chills run up and down my back as I didn't know but they might shoot me in the back, but they let us go all right. I took her to Waco, and saw the sheriff, and he said he would send her to Marlin. I told him, no, that I had promised to go with her to Marlin and stay with her whild she was there and then take her back home. He told me to go ahead. When they let her go at Marlin, I brought her back here, and Joe Thomas came and told me he would take her home. I went and told her Thomas said he would take her home, but that I would if she wanted me to. she said no, she would go with

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Thomas. I kept my word with her all the way through. If I hadn't some of that gang might have shot me.

"One morning, when I got to the office, Pete Ross had a yellow paper in his hand, which had been torn from a book, the cotton men used. He handed the paper to me, sort of laughed, and said for me to read it. It was from the deputy at Moody, way down in the southwest corner of the county, and he said, "Hang [Dudley?] Hansford last night. [Aus?] Simms killed Melton. Got [Aus?] Sims' hat. If they had got him, they would have hung him. No harm done so far Parker Nailer."

"What Parker meant, was that a mob had hung Hansford, who was a cattle and horse thief. Aus Simms was a friend of Hansford, and had killed Melton who had caused Hansford to get caught. What he meant, too, by "no harm done" was that those who got killed, deserved killing.

"There was some fellow, I didn't remember his name, got run out of Lampasas County for stealing cattle, and we were sent word to be on the lookout for him. Pete Ross told me to look for the fellow, who was a small man. I didn't have my gun, so Pete gave me his. It was quick on trigger, but I didn't know it. I knew that when cowboys and freighters and such 8 fellows got into town they usually went to the saloons, pool halls and tenpin alleys. There was a tenpin alley and pool hall then on Austin Street where Chris' Restaurant is now. I went in there, and this fellow was there, toward the back of the building. It was after night, before I could get to him he jumped through a window into the alley and ran to Fifth Street. I jumped out [of?] the window and fell and was nearly knocked out. I got up and ran to Fifth and saw him run into Austin. I followed him and he ran up Austin to the [Sedwick?] Lumber Company's yard, which extended from 5th to 7th Streets. There was a big double gate to the yard which was fastened with a chain and would swing inward some. The fellow ran against this trying to get through, and it opened and threw him down. As he ran at the lumber yard gate, I shot at him, to try to shoot him in two, but I was not familiar with the gun and it went off before I had it aimed good, and I missed him. I was on him before he

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could get up and caught him. He says, "You tried to shoot me." I said, "No, I wasn't trying to hit you. I was trying to scare you." He says, "Seemed to me like you was trying to hit me the way that bullet sounded." I said, "No, I wouldn't try to hit you." He said, "I had two dollars when I started." I haven't got a cent of it now. I guess I lost it when I hit that gate." I took him in. It was late and Ross had gone home. The next morning he says, "I heard you shot at a man last night." I said, "Yes, but I missed him." He said, "Be careful when you are doing any shooting." It had been Sul, he would have said "Why didn't you kill him?"

"We caught a Dutchman with some stolen horses, but he hadn't stolen them. He got them from another Dutchman who had stolen them. He was caught at McKinney, and I went up there to get him. He was big, powerful man, and I was afraid to try to travel with him at night, so I notified the chief of police at Corsicana to meet us and help me get him in jail. The chief met me and we put the Dutchman in jail, and the next day I brought him to Waco. 9 I don't know what was done with him.

"When I first [came?] to Waco and before I was on the sheriff force, I saw Lawless and Fisher, two outlaws who were around here then. They were fine-looking young men, well-dressed. You wouldn't think they were thieves and bad men to look at them.

"About 1894, Judge Gerald shot and killed two brothers named Harris, who were publishers of a Newspaper here. The row started over something Brann published in his [?]. The Harrises took it up in their paper and printed some pretty hard things about Brann. Judge Gerald wrote an article in defense of Brann, and asked the Harrises to publish it, which they said they would. The Harris brothers and Judge Gerald were good friends. Judge Gerald lived right across the street from J. W. Harris. Judge Gerald was as fine a man as I ever knew. I loved him. The Harrises were fine men, too, and well-thought of. Judge Gerald was a little man, and one arm was crippled, it was shot when he was in the Civil War. "The Harrises didn't print the judge's article, and the judge went to their office in the Provident Building and asked Bob Harris why they didn't publish it. One word led to another until Harris lost his temper and knocked the judge down and kicked him out of

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the building. The judge said he would kill Harris, unless Harris apologized. A mutual friend, though, got Harris to agree to apologize, and then went to judge Gerald and asked him if he would accept the apology, which was to be published in the Harrises' paper, and the judge said he would. J. W. Harris went to Judge Gerald and told him that he would take no part in the quarrel between his brother and the judge, that he had always been the judges friend and hoped they would continue to be friends. Judge Gerald agreed with him, but later he told a friend that J. W. was lying, that he knew the Harrises were planning to kill him. They did not publish the apology as they were persuaded by their friends not to. 10 "Judge Gerald got word that the Harrises were waiting for him at the Corner Drug Store. He got in his buggy and drove down there. Bob Harris was at the drug store and J. W. was across the street. When the Judge drove up and got out of his baggy the Harrises started shooting at him. He threw up his bad arm to sort of protect his head. He said later that it wasn't much account and they couldn't do it much damage. He shot and killed Bob Harris, and then he turned and shot J. W. who fell out in the street. Judge Gerald went over to him and shot him twice more and killed him, if he wasn't already dead. The judge was badly hurt and it was [thought?] he wouldn't live, but he got over it all right. Some of us said that if the Harrises had known him like we did they would have known better than to fool with him.

"During my thirty years, I had so many narrow escapes from getting killed that it gives me the shudders when I think of it. When I get to thinking about it, I don't see how I got through it all. I resigned from the police force because my [eyesight?] and hearing were [getting?] bad and I didn't think I was competent to hold the job. Outside those things my health is pretty good, and I feel about as good as I ever did." (July 1937.)